

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Fowlkes, *et al.*

Serial No.: 09/286,166

Filed: April 5, 1999

For: *YEAST CELLS ENGINEERED TO PRODUCE
PHEROMONE SYSTEM PROTEIN SURROGATES,
AND USES THEREFOR*

Attorney Docket No.: CPI-012CP4BCN

Group Art Unit: 1646

Examiner: Michael T. Braddock, Ph.D.

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Commissioner for Patents
BOX SEQUENCE
Washington, D.C. 20231

TRANSMITTAL LETTER FOR DISKETTE CONTAINING SEQUENCE LISTING

Dear Sir:

Enclosed is a diskette which contains a computer readable form of the substitute Sequence Listing for the above-referenced patent application. The substitute Sequence Listing complies with the requirements of 37 C.F.R. §1.821. The material on this diskette is identical in substance to the hard (paper copy) of the substitute Sequence Listing (pages 1-32) which is submitted herewith, as required by 37 C.F.R. § 1.821(f). The computer readable form of the substitute Sequence Listing contained on the enclosed diskette is understood to comply with the requirements of § 1.824(d). No new matter has been added.

Certificate of First Class Mailing (37 C.F.R. §1.8(a))

I hereby certify that this transmittal letter and the papers referred to as being enclosed therein are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Box Sequence, Washington, D.C. 20231 on:

October 1, 2001

Date

H. Pease

Hathaway Pease, Reg. No. 46,488

LAHIVE & COCKFIELD, LLP
Attorneys at Law

By *H. Pease*

Hathaway Pease

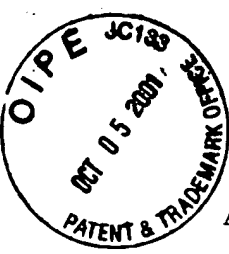
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicants: Fowlkes, *et al.*

Serial No.: 09/286,166

Filing Date: April 5, 1999

Title: YEAST CELLS ENGINEERED TO PRODUCE PHEROMONE
SYSTEM PROTEIN SURROGATES, AND USES THEREFOR

Box Sequence
Commissioner for Patents
Washington, D.C. 20231

LETTER REGARDING DISKETTE CONTAINING SEQUENCE LISTING

Dear Sir:

Pursuant to the requirements of §1.821(e), I hereby state that in accordance with the requirements of §1.824(d), a diskette containing a computer readable form of the Sequence Listing was filed in the pending prior application, Serial No. 09/286/166, filed on June 22, 2001. The material on this diskette was identical in substance to the Sequence Listing appearing on pages 1-34 of the Sequence Listing. No new matter has been added.

Certificate of First Class Mailing (37 C.F.R. §1.8(a))


I hereby certify that this transmittal letter and the papers referred to as being enclosed therein are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Box Sequence, Washington, D.C. 20231 on:

October 1, 2001

Date


Hathaway Pease, Reg. No. 46,488

LAHIVE & COCKFIELD, LLP
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Dated: October 1, 2001

#1
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Fowlkes, *et al.*

Serial No.: 09/286,166

Filed: April 5, 1999

For: *YEAST CELLS ENGINEERED TO PRODUCE
PHEROMONE SYSTEM PROTEIN SURROGATES,
AND USES THEREFOR*

Attorney Docket No.: CPI-012CP4BCN

Group Art Unit: 1646

Examiner: Michael T. Braddock, Ph.D.

Commissioner for Patents
Box Sequence
Washington, D.C. 20231

Certificate of First Class Mailing (37 CFR 1.8(a))

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Box Sequence, Washington, D.C. 20231 on the date set forth below.

October 1, 2001
Date of Signature and of Mail Deposit

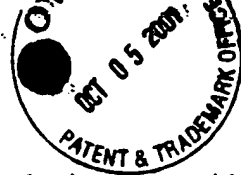
By:

H. Pease
Hathaway Pease
Reg. No. 46,488
Agent for Applicants

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT
APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO
ACID SEQUENCE DISCLOSURES**

Dear Sir:


In response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, forwarded with the applicants' response, we enclose a diskette which contains a Sequence Listing in computer readable form as required by 37 C.F.R. 1.821(e). Also enclosed is a paper copy of the sequence listing. The contents of the sequence listing appearing on pages 1-32 of



the Sequence Listing submitted herewith and the computer readable copy are the same as required under 37 C.F.R. 1.821(f). A copy of the Notice to Comply for Patent Applications Containing Nucleotide and/or Amino Acid Sequence Disclosures is also enclosed herewith. Immediately after the Abstract, please insert the hard (paper) copy of the substitute Sequence Listing, numbered pages 1-32, submitted herewith. No new matter has been added.

Respectfully submitted,

LAHIVE & COCKFIELD, LLP


Hathaway Pease
Reg. No. 46,488
Agent for Applicants

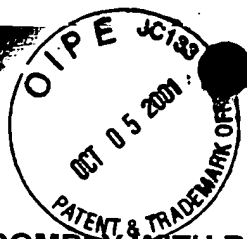
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BIOTECHNOLOGY SYSTEMS
OCT 10 2001

TECH CENTER 1609286166
Application No. 609286166

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☒ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other: _____

Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

For PatentIn software help, call (703) 308-6856

PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR RESPONSE